

# **Murray City Municipal Council Chambers Murray City, Utah**

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The Municipal Council of Murray City, Utah, met on Tuesday, the 19<sup>th</sup> day of July 2005 at 6:30 p.m., for a meeting held in the Murray City Council Chambers, 5025 South State Street, Murray, Utah.

Roll Call consisted of the following:

Krista Dunn,	Council Chair - Excused
Pat Griffiths,	Council Member
Jim Brass,	Council Member
Robbie Robertson,	Council Member
Jeff Dredge,	Council Member, conducted

Other who attended:

Daniel Snarr,	Mayor
Jan Wells,	Chief of Staff
Frank Nakamura,	City Attorney
Shannon Huff Jacobs,	Council Director
Carol Heales,	City Recorder
Pete Fondaco,	Chief of Police
Gilbert Rodriguez,	Fire Chief
Crystal Liechty,	Murray Journal
Citizens	

Mr. Dredge conducted meeting.

## **A. OPENING CEREMONIES**

1. Pledge of Allegiance

Pete Fondaco, Chief of Police

2. Approval of Minutes

July 5, 2005

July 21, 2005

Ms. Griffiths made a motion to approve minutes of July 5, 2005 with corrections.

Mr. Robertson 2<sup>nd</sup> the motion.

Ms. Griffiths made a motion to approve minutes of July 21, 2005 as written.

Mr. Brass 2<sup>nd</sup> the motion

All ayes

3. Special Recognition(s)

Mr. Dredge had the Scouts in the audience introduce themselves and let the audience and Council know what merit badge they are working on.

**B. CITIZEN COMMENTS** (Comments are limited to 3 minutes unless otherwise approved by the Council.)

None

**C. CONSENT AGENDA**

None scheduled.

**D. PUBLIC HEARING(S)**

**Public Hearing #1039**  
**Consider an Ordinance related to zoning;**  
**amends the Zoning Map for property located at**  
**6268 South 900 East, Murray City, Utah from**  
**A-1 (Agricultural District) to R-N-B**  
**(Residential Neighborhood Business District)**  
**(Applicant: Cheryl Edvalson).**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance related to zoning; amends the Zoning Map for property located at 6268 South 900 East, Murray City, Utah from A-1 (Agricultural District) to R-N-B (Residential Neighborhood Business District) (Applicant: Cheryl Edvalson).**

Staff Presentor: Ray Christensen

Mr. Christensen noted Ms. Edvalson has requested a zone change for the property located at 6268 South 9<sup>th</sup> East. The request is for a Residential Neighborhood Business District which is a district which was adopted in May 2005. The site plan shows a new building which is 40' x 80' and the existing building is 32' x 80'. The proposal is for a health and beauty business and is consistent with the general plan for mixed use.

The planning commission made positive recommendation with a 0-4 vote.

#### **PUBLIC COMMENT**

##### **Lee Jimenez, 6211 Glenoaks Street, Murray, UT**

Mr. Jimenez lives directly behind this property. The height restriction is 20', is that correct?

Mr. Christensen said it can go up to 30', if approved by the Commission.

Mr. Jimenez would object to a 30' building. We just barely got the new zoning passed and already we are asking for an exception.

Mr. Nakamura stated that will be part of the conditional use process.

Mr. Nakamura noted we are not dealing that issue tonight it is purely a land use issue.

#### **PUBLIC HEARING CLOSED**

- b. Council consideration of the above matter to follow Public Hearing.

Ms. Griffiths made a motion amending the Zoning Map for property located at 6268 South 900 East, Murray City, Utah from A-1 (Agricultural District) to R-N-B (Residential Neighborhood Business District)

Mr. Brass 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths  
  A   Ms. Dredge

Motion passed unanimously.

**Public Hearing #1040  
Consider an Ordinance related to zoning;  
amends the Zoning Map for property located  
at 6374 South 900 East, Murray City, Utah  
from A-1 (Agricultural District) to R-N-B  
(Residential Neighborhood Business District)  
(Applicant: Scott Graves)**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance related to zoning; amends the Zoning Map for property located at 6374 South 900 East, Murray City, Utah from A-1 (Agricultural District) to R-N-B (Residential Neighborhood Business District) (Applicant: Scott Graves)**

Staff Presenter: Ray Christensen

The application from Scott Graves is for a zone change to the property at 6174 South 9<sup>th</sup> East. It is in an agricultural zone and Mr. Graves is requesting a Residential Neighborhood Business District Zone. Mr. Graves is proposing a private music school. The Planning Commission gave a vote of 4 - 0 positive recommendation for approval of the zoning. This is consistent with the General Plan.

Scott Graves noted they want to do a private recreational music school for all ages, children to retired adults. They do not need to do any remodeling on the building.

#### **PUBLIC COMMENTS**

None

#### **PUBLIC HEARING COMMENT**

- b. Council consideration of the above matter to follow Public Hearing.

Mr. Brass made a motion to amend the Zoning Map for property located at 6374 South 900 East, Murray City, Utah from A-1 (Agricultural District) to R-N-B (Residential Neighborhood Business District)

Ms. Griffiths 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

#### **AYE/NAY**

A Mr. Robertson  
A Mr. Brass  
A Ms. Griffiths  
A Ms. Dredge

Motion passed unanimously.

**PUBLIC HEARING #1050**  
**Consider an Ordinance relating to zoning;**  
**amends the Zoning Map for property located at**  
**180 West Winchester Street, Murray City, Utah**  
**from R-1-8 (Single-Family Low Density Residential District)**  
**to R-N-B (Residential Neighborhood Business District)**  
**to R-N-B (Applicant: Paul Sorensen)**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance relating to zoning; amends the Zoning Map for property located at 180 West Winchester Street, Murray City, Utah from R-1-8 (Single-Family Low Density Residential District) to R-N-B (Residential Neighborhood Business District) to R-N-B (Applicant: Paul Sorensen)**

Staff Presentor:            Ray Christensen

Mr. Christensen noted Paul Sorensen requested the zone change for the property at 180 West Winchester Street, which is in the Single-family Low Density Residential District. Mr. Sorensen would like to do a commercial day care business and would like to bring it up to commercial code. The zone change to the Residential Neighborhood Business District is consistent with the General Plan and comes with a positive recommendation of 4 ayes - 1 nay - 1 abstention vote from the Planning Commission.

**Mr. Sorensen, 6657 South 630 West, Murray, UT**

Mr. Sorensen noted that they currently have an in-home licensed day care in their home and his wife wants her house back. They are also growing beyond capacity. In order for them to continue to grow, they have to move out of the home. The success of their business is based on the fact that the parents who come and bring their children to them wishing they could be home with their children. They enjoy having a home-like environment. They want to feel like their kids are not in a big box day care, there is a need for that, and he is not putting that down, but they want their children to be in a home-environment. They are trying to make that happen.

The person Mr. Sorensen is buying the lot from is Brian DeMann, who lives right on the property and he is willing to sell to him for the intention of moving in the back of the property. The impact on the neighborhood is negligible, except in the form of improvement. Mr. DeMann is comfortable enough with his business. There have been a lot of worries that before this R-N-B came around. The neighbors thought it would go G-O (General Office). Mr. DeMann and Mr. Sorensen went door to door and knocked on 7 or 8 doors and he did turn in their responses to the Planning Commission. The neighbors were all in favor of this plan.

They do not plan on making any real changes to the footprint of the building with a couple of exceptions. They will have to do something with the parking. The major changes to the building will be:

1. a sprinkler system to meet fire code;
2. a 2nd level fire escape so the children can get out in case of a fire.

Other than that, just the fire escape and the driveway are the major changes on the outside. They do plan on continuing to landscape it.

#### **PUBLIC COMMENT**

None

#### **PUBLIC HEARING CLOSED**

- b. Council consideration of the above matter to follow Public Hearing

Mr. Nakamura noted, for the record, it is found to be consistent with the City's General Land Use Plan.

Mr. Robertson made a motion to amend the Zoning Map for property located at 180 West Winchester Street, Murray City, Utah from R-1-8 (Single-Family Low Density Residential District) to R-N-B (Residential Neighborhood Business District) to R-N-B.

Mr. Brass 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths  
  A   Ms. Dredge

Motion passed unanimously.

**PUBLIC HEARING #1041**  
**Consider an Ordinance related to zoning;**  
**amends the Zoning Map for property located**  
**at 307 East Winchester Street, Murray City, Utah**  
**from A-1 (Agricultural District) to R-N-B**  
**(Residential Neighborhood District)**  
**(Applicant: Mt. Olympus Title)**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider an Ordinance related to zoning; amends the Zoning Map for property located at 307 East Winchester Street, Murray City, Utah from A-1 (Agricultural District) to R-N-B (Residential Neighborhood District) (Applicant: Mt. Olympus Title) (Tamara Lee)**

Staff Presenter: Ray Christensen

Mr. Christensen noted this is for Mt. Olympus Title at 307 East Winchester Street, it is listed as R-1-8 instead of A-1 Zone and would like to amend to R-N-B Zone.

This property is on the Historical Registry. They would like to take out the garage and make some changes. They have a plan to do more historic structure change which would blend in.

The recommendation from Planning Commission was positive recommendation for the zone change with a vote of 4-0. The zone change is consistent with the General Plan.

**Tamara Lee, 304 East Winchester Street**

Ms. Lee noted in 1995 they remodeled and renovated the entire house and took it back to its original historical appearance and the person who did the renovation, did an incredible job. The little garage sits way back on the property and is actually in violation of the setbacks under the residential zone. The original owner owned 160 acres and just sold it off over the years. When the renovation was done, the person doing the renovation could not do it because they were unable to do it in residential zoning because she couldn't meet the setbacks to improve that part of it. All they want to do is to maintenance the appearance.

**PUBLIC COMMENT**

Mr. Nakamura noted the Ordinance presented has A-1 Agricultural District in the description. That needs to be corrected to an R-1-8 (Single Family Low Density Residential District)

**PUBLIC HEARING CLOSED**

- b. Council consideration of the above matter to follow Public Hearing.

Ms. Griffiths made a motion to amend the Zoning Map for property located at 307 East Winchester Street, Murray City, Utah from R-1-8 (Single Family Low Density Residential District) to R-N-B (Residential Neighborhood District)

Mr. Robertson 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Mr. Robertson  
  A   Mr. Brass  
  A   Ms. Griffiths  
  A   Ms. Dredge

Motion passed unanimously.

**Public Hearing #1043**  
**Consider a Resolution providing monetary**  
**grant assistance to nonprofit**  
**entities pursuant to Section 10-8-2 of the Utah Code.**

- a. Staff and sponsor presentations, public comment and discussion prior to Council action on the following matter:

**Consider a Resolution providing monetary grant assistance to nonprofit entities pursuant to Section 10-8-2 of the Utah Code.**

Staff Presentor: Doug Hill

Mr. Hill noted this is formalizing the Mayor's budget which he submitted to the Council and which the Council approved. The Arts Advisory Board each year accepts grant applications from Arts Organizations which benefit Murray residents and the nonprofit organizations and provides events which are open to the public. The organizations submit applications to the Arts Advisory Board who makes funding and recommendation to the Mayor. Now what we are required to do under State law requires a public hearing to be held before we grant these monies.

The resolution which is before you will grant the following:

Murray Ballet	\$2,500
Murray Symphony	\$25,000
Murray Concert Bank	\$2,500
Miss Murray Pageant	\$3,500
Murray High Arts Festival	\$500
Utah Choral Arts Society	1,000

Mr. Hill noted these monies are included in this year's fiscal years budget.

**PUBLIC COMMENT**

None

**PUBLIC HEARING CLOSED**

- b. Council consideration of the above matter to follow Public Hearing.

Ms. Griffiths made a motion of the Resolution providing monetary grant assistance to nonprofit entities pursuant to Section 10-8-2 of the Utah Code.

Mr. Robertson 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

A Mr. Robertson  
A Mr. Brass  
A Ms. Griffiths  
A Ms. Dredge

Motion passed unanimously.

**E UNFINISHED BUSINESS**

None scheduled.

**F. NEW BUSINESS**

1. Consider confirmation of the Mayor's appointment of Gilbert Rodriguez for Murray City Fire Chief.

Mayor Snarr noted that Chief Blair Camp, after 26 years of distinguished service with Murray City has decided he has a nice opportunity to attend all of the athletic events at the University of Utah as the new Fire Marshall, in charge of making sure all of the facilities are secure before each event.

Mr. Rodriguez has been with Murray City Fire Department for 22 years. He is an incredible person. The Mayor appreciates Gill, who also lives in Murray. Chief Rodriguez will not only be the Fire Chief, occasionally he will get to be the Deputy Mayor. Mr. Rodriguez is well respected among all the other fire chiefs. He has helped with the Training Academy. The Mayor said we are very fortunate to have a person of his stature who has been trained and brought up through the ranks and is willing to accept this nomination and appointment as Fire Chief. He has a wonderful wife and great children who stand behind him.

Mr. Brass made a motion to confirm the Mayor's appointment of Gil Rodriguez as Murray's Fire Chief.

Mr. Robertson 2<sup>nd</sup> the motion.

Call Vote Recorded by Ms. Heales

**AYE/NAY**

  A   Mr. Robertson

  A   Mr. Brass

  A   Ms. Griffiths

  A   Ms. Dredge

Motion passed unanimously.

Mr. Rodriguez thanked the Mayor and the Council for their confidence. He appreciated Blair Camp from the minute that he was Fire Chief and appreciates the support given this department and hopes they can give the same support.

**G. MAYOR**

1. Report

✓ Mayor Snarr noted the Topping Off Ceremony was a nice event last week for the IHC project. An Evergreen and flag were placed on the last beam and signed by those attending. The beam and put on top of the 15 story Nursing/Patient Tower. IHC did a wonderful job.

✓ Mr. Dredge asked the Mayor about the Southern Exposure. What is the status on that?

- ✓ Frank Nakamura noted it is still in litigation and it is pending.
- ✓ Yesterday the Mayor was in Portland, Oregon with Keith Snarr and Doug Hill, for the Master Traffic Plan Study. He was impressed with what they have done up there over time. It was a very interesting worthwhile trip.
- ✓ Mr. Griffiths commented it was a very impressive ceremony as well. For the Council members who were not able to attend, Ms. Jacobs and Ms. Griffiths made sure all of their names were on the beam.

2. Questions of the Mayor

**H. ADJOURNMENT**

Recorded by: Carol Heales, City Recorder